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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 IN RE OPTICAL DISK DRIVE PRODUCTS
12 ANTITRUST LITIGATION

MDL No. 2143

CASE NO. 3:13-cv-03350 RS

13 This document relates to:

**STIPULATION AND [PROPOSED]
ORDER REGARDING DEFENDANTS'
RESPONSES TO DELL INC. AND DELL
PRODUCTS L.P.'S COMPLAINT**

14 DELL INC. and DELL PRODUCTS L.P.

15 Plaintiffs,

16 v.

17 HITACHI-LG DATA STORAGE, INC., et al.

18 Defendants.

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1 WHEREAS, on September 12, 2013, this Court entered three orders regarding the service
 2 of process related to Dell Inc. and Dell Products L.P.'s ("Dell") Complaint, and also set deadlines
 3 for Defendants to file their responses to Dell's Complaint (*see* Dkt. Nos. 993, 994, and 995).

4 WHEREAS, the deadlines set forth in the above-referenced Orders provide for two
 5 different response dates for the various Defendants—November 22, 2013 for certain Defendants,
 6 and December 6, 2013 or 90 days from receipt by a certain Defendant (or certain Defendants) of
 7 the Dell Complaint delivered in the manner stipulated, whichever is later, for other Defendants;

8 WHEREAS, the parties agree that a single date for all Defendants to respond to Dell's
 9 Complaint is preferable, and have agreed that Defendants should have until December 9, 2013 to
 10 file an answer or otherwise respond to Dell's Complaint; and

11 WHEREAS, to the extent any Defendant or Defendants move to dismiss Dell's Complaint,
 12 under Federal Rule of Civil Procedure 12(b)(6) or otherwise, the parties will work in good faith to
 13 agree upon and present to the Court a proposed briefing schedule to resolve those motions, but in
 14 no event shall Dell's response to any such motions be due before January 17, 2014;

15 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned
 16 counsel for the parties, and subject to Court approval, that all Defendants shall have until
 17 Monday, December 9, 2013 to file their responses to Dell's Complaint. To the extent any
 18 Defendant or Defendants move to dismiss that Complaint, the parties shall work in good faith to
 19 reach an agreed upon briefing schedule which they will present to the Court no later than
 20 December 13, 2013, but in no event shall Dell's response to any such motions be due before
 21 January 17, 2014.

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IT IS SO STIPULATED.

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DATED: November 15, 2013

ALSTON & BIRD LLP

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By _____ /s/ Rodney J. Ganske
 RODNEY J. GANSKE

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11 DATED: November 15, 2013

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19 IT IS SO ORDERED.

20 DATED: November 15, 2013

21 NY\6044716.1



22 HONORABLE RICHARD SEEBORG
23 UNITED STATES DISTRICT COURT JUDGE